

February 22, 1991

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Mr. Robert Jackson
U.S. EPA/ARTX/TSCA
776 Minnesota Avenue
Kansas City, Kansas 66101

TOXICS & PESTICIDES
BRANCH

Re: Reporting of Possible Regulatory Violations

Dear Mr. Jackson:

My name is [REDACTED]. On or about February 4, 1991, I became aware of possible regulatory violations involving (perhaps) waste generated by the Defense Reutilization and Marketing Service ("DRMS"), and forwarded to Hydrocarbon Recyclers, Inc. ("HRI") by [REDACTED]. Because this possible violation occurred a year ago, posed no current threat, and was highly technical, I decided to investigate the incident and seek expert opinions before reporting it to EPA to be as certain as possible that I was not reaching false conclusions.

This investigation was concluded on or about February 15, 1991. On that date, I contacted Dave Phillipi at Region VII EPA and made a verbal report. This letter and the enclosed documentation are intended to follow-up and supplement that oral report, and are sent to you at the suggestion of Dave Phillipi.

On or about January 23, 1990, [REDACTED] sent certain waste from the Red River Army Depot to HRI on Manifest No. 19099. HRI apparently fuel blended one drum containing 53 gallons (Manifest page 2, paragraph 28, item c) ("item 28c") from that load, as well as one drum from another load sent by [REDACTED] to HRI (Manifest 10009) into a 20,000 gallon tank. HRI apparently filled that tank with waste from other sources. HRI claims to have sent a tanker truck (5,000 gallons?) of that waste to Systech Corporation ("Systech") of Fredonia, Kansas, to be burned as fuel in Systech's cement kiln. Systech apparently tested the tanker truck, determined that it contained 83 parts per million ("ppm") of PCBs, and rejected the load.

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HRI then sent the letter and documents enclosed herein to [REDACTED] claiming that the PCB contamination of the 20,000 gallon tank and the tanker truck was caused by the one drum (item 28c) containing 53 gallons from Manifest No. 19099. HRI sought the payment by [REDACTED] of \$2,500.00 for the alleged PCB "situation." Although the letter and its enclosures do not establish to [REDACTED] satisfaction that the waste it sent to HRI in any way caused or contributed to the alleged PCB contamination, particularly in light of the claim by DRMS that they screened this waste for PCBs, the letter raised serious questions as to a number of regulatory violations which may have been committed in the way the situation was handled, and as to certain irregularities which undermine HRI's (and Systech's) laboratory testing results.

[REDACTED] has concerns that this documentation may evidence possible dilution to avoid regulation. Additionally, a review of the alleged chromatograms reveals serious concerns as to their accuracy and authenticity and failure to follow proper procedures. Your own chemists should be able to explain these concerns to you. Also, a simple mathematical calculation will show that the one 53 gallon drum, at the concentration shown by the chromatograms, could not have contaminated 20,000 gallons to the extent claimed. To produce such contamination, the PCB level in the drum would have to exceed 15,000 ppm. Thus, [REDACTED] is concerned that the actual generator of the PCB waste, which caused this situation, may not have been notified of the contamination of its waste stream.

If I can be of any further assistance to you in your assessment of this situation or provide any further information, please let me know.

[REDACTED]

[REDACTED]

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